



## Application for Licence Amendment

### Part V Division 3 of the *Environmental Protection Act 1986*

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<b>Licence Number</b>	L7060/1997/13
<b>Licence Holder</b>	Peel Resource Recovery Pty Ltd
<b>ACN</b>	149 428 697
<b>File Number</b>	DER2014/001334-1
<b>Premises</b>	Cross Resource Management 70 Stanley Road WELLESLEY WA 6233  Legal description – Part of Lot 601 on Deposited Plan 417253  As defined by the coordinates in Schedule 2 of the Revised Licence
<b>Date of Report</b>	28/08/2021
<b>Decision</b>	Revised licence granted

**Stephen Checker**

**Manager Waste Industries, Industry Regulation**

an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

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## 1. Decision summary

Licence L7060/1997/13 is held by Peel Resource Recovery Pty Ltd (Licence Holder) for the Cross Resource Management (the Premises), located at 70 Stanley Road, Wellesley.

This Amendment Report documents the assessment of potential risks to the environment and public health from the operation of a new tyre monofil cell as the current cell at the Premises is close to capacity – expected within 12 months. As a result of this assessment, Revised Licence L7060/1997/13 has been granted.

The Revised Licence issued as a result of this amendment consolidates and supersedes the existing Licence previously granted in relation to the Premises. The Revised Licence has been granted in the new format.

## 2. Scope of assessment

### 2.1 Regulatory framework

In completing the assessment documented in this Amendment Report, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

### 2.2 Application summary

On 19 April 2021, the Licence Holder submitted an application to the department to amend Licence L7060/1997/13 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The following amendments are being sought:

- New tyre monofil cell. It is proposed to use an existing extractive industry pit for a new tyre disposal cell. The applicant advises that existing tyre disposal cell is nearing capacity, tyre disposal will take place in accordance with existing licence conditions and there will be no changes to any emissions or operations at the Premises.

As a result of the above, the Department has initiated an amendment to Licence L7060/1997/13 to incorporate the following changes:

- Amendment to condition 3 Table 2 to include description of designated tyre monofil area as depicted in Schedule 1 Maps.
- The addition of a new Schedule 1 Landfill area map of the monofil cell.

## 3. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guidance Statement: Risk Assessments* (DER 2017).

To establish a Risk Event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

### 3.1 Source-pathways and receptors

#### 3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises operation which have been considered in this Amendment Report are detailed in Table 1 below. Table 1 also details the proposed control measures the Licence Holder has proposed to assist in controlling these emissions, where necessary.

**Table 1: Licence Holder controls**

Emission	Sources	Potential pathways	Proposed controls
Dust	Lift-off from disposal of tyres, Heavy vehicle movements	Air/windborne pathway	Water truck. Premises speed limit of 10km/h. Cease dust generating activity during strong wind conditions.
Noise	Noise from tyre disposal and Heavy vehicle movements	Air/windborne pathway	Compliance with <i>Environmental Protection (Noise) Regulations 1997</i> . Operations only occur during the day.

### 3.1.2 Receptors

In accordance with the *Guidance Statement: Risk Assessment* (DER 2017), the Delegated Officer has excluded employees, visitors and contractors of the Licence Holder's from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table 2 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (*Guidance Statement: Environmental Siting* (DER 2016)).

**Table 2: Sensitive human and environmental receptors and distance from prescribed activity**

Human receptors	Distance from prescribed activity
Industry: Putrescible landfill site (Shire of Harvey)	Immediately adjacent and to the north of the Premises boundary
Industry: Transport company (Agspread Bulk Haulage)	Immediately adjacent and to the west of the Premises boundary
Industry: Transport and earthmoving company (B & J Catalano Pty Ltd)	Immediately north-west of the Premises boundary
Special residential development	400m to the west of the Premises boundary
Residential development	360m to the south-west of the Premises boundary
Special rural development	260m to the south-west of the Premises boundary
Environmental receptors	Distance from prescribed activity
Shallow groundwater	Sandy soils - shallow aquifer (2 – 4 mBGL)
Brunswick River	250 metres south of the Premises boundary
Conservation category geomorphic wetland - Dampland	90m east of the eastern Premises boundary
Conservation category geomorphic wetland - Floodplain	Immediately adjacent to southern Premises boundary

Peel Harvey Environmental Protection Policy (EPP)	Premises falls within the policy area
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### 3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guidance Statement: Risk Assessments* (DER 2017) for those emission sources which are proposed to change and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the Licence Holder has proposed mitigation measures/controls (as detailed in Section 3.1), these have been considered when determining the final risk rating. Where the Delegated Officer considers the Licence Holder's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the Licence as regulatory controls.

Additional regulatory controls may be imposed where the Licence Holder's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 3.

The Revised Licence L7060/1997/13 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises i.e. prescribed premises activities associated with categories 13, 62 and 63 defined under the EP Regulations.

The conditions in the Revised Licence have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

**Table 3: Risk assessment of potential emissions and discharges from the Premises during operation**

Risk Event					Risk rating <sup>1</sup> C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions <sup>2</sup> of Licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
<b>Operation</b>								
Lift-off from disposal of tyres, Heavy vehicle movements	Dust	Air/windborne pathway causing impacts to health and amenity	Human and environmental receptors listed in Table 2	Refer to Table 1	C = Moderate L = Possible <b>Medium Risk</b>	Y	Condition 10 and 11	N/A
Noise from tyre disposal and Heavy vehicle movements	Noise				C = Minor L = Unlikely <b>Medium Risk</b>	Y	N/A	N/A
Tyre fire	Contaminated fire fighting water	Seepage to soils and groundwater compromising groundwater use  Seepage or overland flow to Brunswick River causing disruption to aquatic ecosystems			C = Moderate L = Possible <b>Medium Risk</b>	N	Condition 3, 6, 19 and 23	No information has been included regarding the management of tyre fire risks, other than reference to a fire management plan which was not included in the Application. The Delegated Officer notes that less than 100 tyres are permitted to be stored on site which will minimize fire risk. Condition 6 in relation to tyre cover has been amended to clarify that stored tyre units include those uncovered within a cell.
Tyre fire	Smoke	Health and amenity impacts at nearest	Human receptors listed in Table 2					

Risk Event					Risk rating <sup>1</sup> C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions <sup>2</sup> of Licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
		receptors						

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guidance Statement: Risk Assessments* (DER 2017).

Note 2: Proposed Licence Holder's controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

## 4. Consultation

Table 4 provides a summary of the consultation undertaken by the department.

**Table 4: Consultation**

Consultation method	Comments received	Department response
<p><i>Licence Holder was provided with draft amendment on 2/7/2021. Response requested by 26/07/2021.</i></p>	<p><i>Comments received 29/07/2021.</i></p> <p><i>Condition 6 Table 3: Requirement for daily cover of tyres</i></p> <p><i>The above commitment is likely to cause difficulties for the Peel Resources tyre landfill operations. It is hard to bury loose tyres as they sit in an uneven array, resulting in large amounts of fill required, and the cells to end up consisting of mostly sand. Peel Resources would like to propose as an alternative that all tyres are covered except for the active tipping area, which would be no larger than a 20 m x 20 m area.</i></p> <p><i>Comments received 20 August 2021. Peel Resource would like to change the draft licence condition to no more than 100 tyres uncovered.</i></p>	<p><i>The Delegated officer does not consider the fire risk associated with 400 m<sup>2</sup> of exposed tyres is acceptable. Requested alternate cover options from Licence holder on 2 August 2021.</i></p> <p><i>The Delegated Officer notes that less than 100 tyres are permitted to be stored on site under current conditions which will minimize fire risk. Condition 6 in relation to tyre cover has been amended to clarify that stored tyre units include those uncovered within a cell.</i></p>
<p><i>Local Government Authority advised of proposal 25/05/2021. Response requested by 8/06/2021.</i></p>	<p><i>No comments received.</i></p>	<p><i>N/A</i></p>

## 5. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that a Revised Licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

### 5.1 Summary of amendments

Table 5 provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the Revised Licence as part of the amendment process.



**Table 5: Proposed amendment of Licence conditions**

Existing condition	Condition summary	Revised Licence condition
3 Table 2	Disposal of tyres and rubber by landfilling shall only occur in the designated tyre monofil area	Disposal of tyres and rubber by landfilling shall only occur in the designated tyre monofil area as depicted in Schedule 1 Maps.
6 Table 3	Cover requirements	Not more than 100 tyres uncovered
Schedule 1: Maps – Landfill area map	Map of active landfilling areas	New Landfill area map to identify new tyre monofil location.

## References

1. DER July 2015. *Guidance Statement: Regulatory principles*. Department of Environment Regulation, Perth. Accessed at [www.dwer.wa.gov.au](http://www.dwer.wa.gov.au)
2. DER, October 2015. *Guidance Statement: Setting conditions*. Department of Environment Regulation, Perth. Accessed at [www.dwer.wa.gov.au](http://www.dwer.wa.gov.au)
3. DER, August 2016. *Guidance Statement: Licence duration*. Department of Environment Regulation, Perth. Accessed at [www.dwer.wa.gov.au](http://www.dwer.wa.gov.au)
4. DER, November 2016. *Guidance Statement: Environmental Siting*, Perth, Western Australia. Accessed at [www.dwer.wa.gov.au](http://www.dwer.wa.gov.au)
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6. DWER, June 2019. *Guideline: Decision Making*. Department of Water and Environmental Regulation, Perth. Accessed at [www.dwer.wa.gov.au](http://www.dwer.wa.gov.au)
7. DWER, June 2019. *Guideline: Industry Regulation Guide to Licensing*. Department of Water and Environmental Regulation, Perth. Accessed at [www.dwer.wa.gov.au](http://www.dwer.wa.gov.au)